

U.S. Patent Application Serial No. 10/802,027
Reply to OA dated July 14, 2009

REMARKS

Claim 10 is amended in order to more particularly point out, and distinctly claim the subject matter which the Applicants regard as their invention. New Claims 13 and 14 are added to present additional features of the invention. The Applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated July 14, 2009.

In the Office Action, Claims 1-11 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Reconsideration and removal of this rejection are respectfully requested.

The Office Action alleges that support cannot be found in the Specification for amended recitations in Claims 1 and 8 of the inflow chamber forcibly guiding the rising flow towards the surface of filter element. Thus the added limitations constitute New Matter.

Applicants respectfully request reconsideration of this rejection. It is respectfully submitted that there are many portions of the specification on pages 6, 7, 9 and 10 describing the rising flow. Also, original Claim 8, which is considered part of the disclosure has the phrase:

“...a guide (33) for forcibly guiding the flow of the fluid that has
flowed into said inflow chamber (3a) toward said filter element (3)...”

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Also, the drawings of FIGS. 1 and 2, which are considered part of the disclosure, show the claimed flow.

In view of the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claims 1, 3-6 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Strano et al., U.S. Patent No. 6,013,178; and Claims 1-3, 5, 6 and 8 were rejected under 35 U.S.C. §102(b) as being anticipated by Kamrath, U.S. Patent No. 1,922,688. Reconsideration and removal of these rejections are respectfully requested in view of the following remarks.

The Office Action states on page 6 of the Office Action that:

"It is argued that the flow guide structures (5) (should be 18) of Strano et al. and (18) (should be 24, 25, 26 and 27) of Kamrath et al. do not extend the entire length of the corresponding filter structures. However, such guide structure of Strano comprises the entire inflow chamber 54 of Strano and various elements including surface 24, defining such inflow chamber, as apparent from figure 4 which extend the length of the filter elements. Similarly, guide elements including 24 and 27 of Kamrath extend from bottom to top of the filter element(s)." (Corrections added)

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Referring to FIG. 4 of Strano et al., a very large portion of the entire inflow chamber (54) has surfaces which are parallel to the inside surface of filter (26). The above-mentioned surfaces would be surfaces (32) of the U-shaped housing member shown in FIG. 2. Therefore, it is respectfully submitted that there is no structure arranged substantially the entire length of the inflow chamber to forcibly direct fluid radially toward the inner curved surface of the filter, as presently claimed.

Referring to FIG. 1 of Kamrath, the alleged guide structure (24, 25, 28, 27) has the outer surface of a cylindrical tube (24), extending substantially the entire length of the filter, as the primary component. The upward flowing liquid indicated by arrows, near numeric indicator (27), would not be directed radially toward the filter (31) by the surface of cylindrical tube (24), because the surface would be substantially paralleled to the direction of flow.

In view of the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claim 10 was rejected under 35 U.S.C. §102(b) as being anticipated by Campo U.S. Patent No. 3,675,776. Reconsideration and removal of this rejection are respectfully requested in view of the present claim amendment and the following remarks.

The Office Action states on pages 6 and 7 of the Office Action that:

"It is argued, for Claim 10, that flow in Campo near the filter elements flows in two different directions through the two layers of the filter elements, thus there can be no arrangement of filter elements

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in regard to mesh size, target size and flow direction. It is submitted that there is no claim language correlating structure relative to flow direction, especially to limiting flow to a single direction; thus the argument is not commensurate with text of claim language.

It is argued that Campo does not teach specific mesh sizes relative to a "target size" of a target foreign matter. However, it is submitted that target pore or mesh sizes and other filtering properties are necessarily encompassed in the Campo disclosure "specific filtering materials may be inserted having material specifically suited for the removal of particular impurities" at column 5, lines 10-15."

Claim 10 has been amended in order to clearly distinguish over Campo.

In view of the amendment to Claim 10, and the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claim 4 was rejected under 35 U.S.C. §103(i) as being unpatentable over Kamrath, U. S. Patent No. 1,922,688 in view of Kamrath, U.S. Patent No. 2,171,752. Reconsideration and removal of this rejection are respectfully requested in view of the following remarks.

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Claim 4 depends from Claim 1, which is discussed above.

In view of the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claims 7 and 9 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kamrath, U.S. Patent No. 1,922,688 in view of Rabbitt, U.S. Patent No. 2,655,894. Reconsideration and removal of this rejection are respectfully requested in view of the following remarks.

Claims 7 and 9 depend from Claims 1 and 8, which are discussed above.

In view of the above remarks, removal of this rejection is respectfully requested.

In the Office Action, Claim 11 was rejected under 35 U.S.C. §103(a) as being unpatentable over Campo, U.S. Patent No. 3,675,776 in view of Kuh et al., U.S. Patent No. 4,681,677. Reconsideration and removal of this rejection are respectfully requested in view of the present claim amendment and the following remarks.

Claim 11 depends from Claim 10, which is discussed above.

In view of the amendment to Claim 10, and the above remarks, removal of this rejection is respectfully requested.

In view of the aforementioned amendments and accompanying remarks, Claims 1-11 and 13-14, as amended, are believed to be patentable and in condition for allowance, which action, at an

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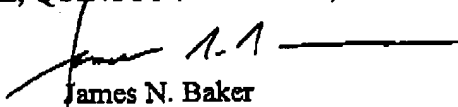
early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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